

Contoocook Valley School District and Contoocook Valley Education Association, NEA-NH, Decision No. 2013-171 (Case No. E-0048-5).

The District filed a Petition for Declaratory Ruling asking the PELRB to determine whether the PELRB 1976 Recognition of an Exclusive Representative covered paraprofessional employees. The District requested that the PELRB declare that the subject bargaining unit did not include paraprofessional employees. The District argued, among other things, that neither the 1976 petition for certification nor the resulting PELRB recognition included paraprofessional employees. The Union countered that paraprofessional employees were included in the bargaining unit because, among other things, the subject unit included paraprofessional employees at the time the unit was certified by the PELRB in 1976 and at all times thereafter.

The PELRB held that it had jurisdiction over the petition because it sought interpretation of a PELRB order and because the issue of whether paraprofessionals were included in the bargaining unit was not “the subject of a previous ruling on the merits.” The PELRB ruled that, based on the record, the bargaining unit certified by the PELRB in 1976 and represented by the Union included paraprofessional employees.

Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.